



# NEWS RELEASE

Office of the  
United States Attorney  
for the  
District of Nebraska  
**Deborah R. Gilg**

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April 19, 2010

United States Attorney Deborah R. Gilg, Omaha Police Chief Alex Hayes, and Mickey Leadingham, Omaha's Resident Agent in Charge of the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, announce the following information for the attention of the media:

**Event Triggering this Release:**

For being a Felon in Possession of a Firearm on March 10, 2009, John Edward McAuliffe, Jr., was sentenced by the Honorable Joseph Bataillon, Chief United States District Judge, to serve 96 months in prison, which will be followed by a 3 year term of Supervised Release, and to pay a \$100 Special Assessment.

On March 10, 2009, around 12:15 pm, the Metro Fugitive Task Force went to a house in the 4900 block of North 28th Avenue to check for a wanted felon, John Edward McAuliffe, Jr., who was wanted for Council Bluffs' robbery, burglary, theft and false imprisonment charges. McAuliffe was found hiding in a rear bedroom inside a cardboard box. Inside a pair of boots found next to a couch, were a plastic bag with 5 9mm rounds, brass knuckles, and a wallet containing identification to McAuliffe. The renters indicated McAuliffe had slept the night before on a living room couch. A check of this couch by police revealed a 9mm revolver.

He was convicted of 1) Delivery of Marijuana in Marquette County Michigan, 1992, 2) Possession with Intent to Distribute 50 Kilograms or more of marijuana in the United States District Court for the District of Kansas in 1993, 3) Attempted Burglary 3<sup>rd</sup> Degree in Harrison County Iowa in 2004, 4) Burglary in Douglas County Ne in 2005.

**Name of Defendant:** John Edward McAuliffe, Jr.

**AKA:** Jay McAuliffe

**Age:** 43

**City of Residence:** Omaha

**Crime(s) Charged and Potential Penalty** (A CHARGE is merely an accusation and every defendant is presumed innocent until and unless proven guilty): Felon in Possession of a Firearm, if previously convicted of three violent felonies, carries not less than 15 years in prison, not more than a \$250,000 fine, not more than 5 yrs term of Supervised Release, and a \$100 Special Assessment.

**Specific Location of Alleged Crime:** 4900 block of North 28th Avenue, Omaha

**Location of Arrest:** 4900 block of North 28th Avenue, Omaha

**Alleged Dollar Loss/Type and Quantity of Drug:** n/a

**Others Charged in Same Scheme:** n/a

**Relevant Dates:**

**Date of Alleged Crime:** March 10, 2009

**Federal Arrest Date:** June 22, 2009

**Date Complaint Issued:** n/a

**Indictment Returned Date:** April 22, 2009

**Initial Appearance Date:** June 22, 2009

**Plea or Trial and Date(s):** January 12, 2010

**Sentencing Date:** April 16, 2010

**Next Court Hearing Type and Date:** n/a

**Assigned Magistrate Judge:** Hon. F.A. Gossett

**Held without Bond:** Yes

**In Continuous Custody Since:** March 10, 2009

**Assigned District Court Judge:** Hon. Joseph Bataillon

**Initials of Assigned AUSA/Preparer of THIS Release:** MDW